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June 30, 2017

By ECF

Honorable Pamela K. Chen
United States District Judge
225 Cadman Plaza East
Brooklyn New York 11201

Re: *United States of America v. Ahmad Sheikhzadeh*
Criminal # 15-cr-182 (PKC)

Dear Judge Chen:

For the reasons set forth below, I write to request that the sentence hearing in this case, currently scheduled for July 17, 2017, be converted to a status conference.

Earlier today the government filed a sentence memorandum ([ecf 34](#)) that raises issues that were not addressed in the presentence report. Along with the memorandum, the government has provided voluminous *newly* declassified material that was not provided to the defendant or his counsel prior to the entry of the guilty plea in this case. While it goes without saying that this belated disclosure by the government will take the defense some time to review so that it can respond accordingly, more urgent is the fact that, in defense counsel's view, the disclosure creates a legal conflict for counsel that will require a *Curcio* hearing.

Accordingly, I respectfully request that *Curcio* counsel be appointed in this case and that the sentence hearing be converted to a status conference.¹ I have discussed this application with the attorney for the government, Peter Baldwin, and he advised me that the government does not object to conversion of the sentence hearing. Additionally, at present, the government takes no position on counsel's request that *Curcio* counsel be appointed and will be prepared to address any questions that the Court may have at the status conference.

Thank you very much for your consideration in this matter.

Respectfully submitted,

/S/

Steve Zissou

cc: Peter Baldwin, AUSA, by ECF/email

¹I respectfully recommend that such counsel have the appropriate security clearance level.